| Form **400-UT** | North Dakota Office of State Tax Commissioner
Calculation of interest on underpayment or late payment of estimated income tax for individuals | **2005**
Attach to
Form ND-1 or ND-2 |

Name(s) shown on return	Social security number

► **IMPORTANT:**
- Read the instructions on the reverse side before attempting to complete this form.
- Do not complete this form unless you were required to pay estimated federal income tax for the 2005 tax year. See "**Federal estimated income tax requirement**" in **General Instructions**.

Part 1 - Exceptions to regular computation of underpayment

See the instructions for a description of each of the exceptions listed below. If one of them applies, check the applicable box, complete Parts 2 and 3 as instructed, and attach Form 400-UT to your return.

A. ☐ Qualified farmer (4th quarter payment required)   C. ☐ Federal 4th quarter exception
B. ☐ Federal annualized income installment method   D. ☐ Part-year North Dakota requirement
(Attach copy of Form 2210)

Part 2 - Computation of underpayment

1. Enter 2005 net tax liability (from Form ND-1, line 27, or Form ND-2, line 12).. 1
2. Multiply line 1 by 90% (.90)... 2
3. Enter 2005 withholding (from Form ND-1, line 28, or Form ND-2, line 13).. 3
4. Subtract line 3 from line 1. **If less than $500, stop; you were not required to pay estimated tax for 2005** 4
5. Enter 2004 net tax liability (from Form ND-1, line 23, or Form ND-2, line 12). If no return was required to be filed for 2004, enter -0-. **If less than $500, stop; you were not required to pay estimated tax for 2005** 5
6. Total required payment. Enter smaller of line 2 or line 5. However, if you moved into North Dakota in 2004, check this box ☐ and enter the amount from line 2 above 6

If you checked one of the boxes in Part 1, see the instructions to line 7 before completing the rest of this form.

		Payment due date			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
		April 15, 2005	June 15, 2005	Sept. 15, 2005	Jan. 15, 2006
7. Enter 25% of amount on line 6 in each column (or, if you checked a box in Part 1, enter the amount per instructions to line 7)	7				
8. Enter estimated tax paid and tax withheld (See instructions)	8				
Complete lines 9 through 15 of one column before going to next column.					
9. Enter amount, if any, from line 13 of previous column	9				
10. Total paid. Add lines 8 and 9	10				
11. Add lines 14 and 15 of previous column and enter result	11				
12. **Overpayment.** If line 10 is greater than line 7, subtract line 7 from line 10 and enter result. Otherwise, enter -0-	12				
13. **Overpayment carryover.** If line 12 is greater than line 11, subtract line 11 from line 12 and enter result. Otherwise, enter -0-	13				
14. **Underpayment carryover.** If line 11 is greater than line 12, subtract line 12 from line 11 and enter result. Otherwise, enter -0-	14				
15. **Underpayment.** If line 7 is greater than line 10, subtract line 10 from line 7 and enter result. Otherwise, enter -0-	15				

Part 3 - Computation of interest (See instructions)

16. Interest computation:					
(a) Enter date of payment (See instructions)	16a				
(b) Enter number of days from the payment due date to the date on line 16(a)	16b				
(c) Divide line 16(b) by 365 and round to three decimal places	16c	_ . _ _ _	0 . _ _ _	0 . _ _ _	0 . _ _ _
(d) Multiply line 16(c) by 12% (.12) and round to three decimal places	16d	. _ _ _	. _ _ _	. _ _ _	. _ _ _
(e) Multiply line 15 by line 16(d) and enter result	16e				

17. **Total interest.** Add the amounts in all four columns on line 16(e). Enter result here and on Form ND-1, line 40, or Form ND-2, line 25. (See instructions) 17

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General instructions

You may use Form 400-UT to determine if you paid enough estimated North Dakota income tax by the payment due dates and, if you didn't, to calculate the amount of interest you must pay on the underpayment or late payment. The dates used on Form 400-UT and in these instructions are for calendar year filers. Fiscal year filers should substitute corresponding dates.

Federal estimated income tax requirement. Do not complete Form 400-UT unless you were required to pay estimated federal income tax for the tax year. To determine if you were required to pay estimated federal income tax for 2005, see the 2005 Federal Form 2210.

Instructions for Part 1

Following are descriptions of the exceptions to the regular computation of underpayment listed in Part 1. If one of them applies, check the applicable box.

Exception A: Qualified farmer (4th quarter payment required)

This exception applies if you qualified as a farmer for federal estimated income tax purposes in 2005 and you were required to pay estimated federal income tax for the 4th quarter due on January 15, 2006.

Exception B: Federal annualized income installment method

This exception applies *only* if you actually used the annualized income installment method to calculate the amount of your underpayment and penalty for federal estimated income tax purposes for 2005. **Attach a copy of the federal annualized income installment method worksheet (from 2005 Federal Form 2210) showing the amounts you computed for federal purposes.**

Exception C: Federal 4th quarter exception

This exception applies if you did not have to make the 4th quarter estimated federal income tax payment due on January 15, 2006, because you filed your 2005 federal income tax return and paid the remaining federal income tax due by February 1, 2006.

Exception D: Part-year North Dakota requirement

This exception applies if you were a nonresident of North Dakota, or you moved into North Dakota during 2005, and you did not receive income subject to North Dakota income tax until after April 15, 2005. **Attach a statement describing your situation.**

Instructions for Part 2

Line 7

If you checked one of the exceptions in Part 1, enter on this line the appropriate amount(s) as follows:

- If **Box A** was checked, enter the amount from line 6 in the 4th quarter column. Enter zero in the first three columns.

- If **Box B** was checked, use the annualized federal taxable income determined on 2005 Federal Form 2210 to calculate an annualized North Dakota taxable income. Include any adjustments required or allowed under North Dakota tax law in the calculation. Enter the amount of estimated North Dakota income tax due by each payment due date calculated in the same manner as under the federal annualized income installment method on Form 2210.

- If **Box C** was checked, enter 25% of the amount on line 6 in the 1st, 2nd and 3rd columns. Enter zero in the 4th quarter column.

- If **Box D** was checked, the amount to enter in each column depends on when you first received income from North Dakota sources in 2005. If you received the income after March 31 and before June 1, 2005, enter one-third of the amount on line 6 in the 2nd, 3rd, and 4th quarter columns. If you received the income after May 31 and before September 1, 2005, enter one-half of the amount on line 6 in the 3rd and 4th quarter columns. If you received the income after August 31, 2005, and before January 1, 2006, enter the amount from line 6 in the 4th quarter column.

Line 8

Enter the amount of estimated tax paid and income tax withheld for each quarter. Unless you can show otherwise, one-fourth of the total amount withheld is deemed to have been withheld by each payment due date. If you elected to apply an overpayment from your 2004 North Dakota return to your 2005 estimated tax, enter the overpayment in the 1st quarter column; however, if you had attached a statement to your 2004 return requesting the overpayment to be applied to another quarter, enter the overpayment in the appropriate column.

Instructions for Part 3

Interest of 12% per year is charged on an underpayment or late payment of estimated

tax. Interest accrues from the due date of the payment to the earlier of April 15, 2006, or the date the estimated tax due is paid in full. In the case where an overpayment is applied to offset an underpayment, the overpayment is considered to have been applied as of the payment due date for the quarter in which the overpayment occurred.

In some cases, you may find it necessary to compute the interest on a separate worksheet, in which case you should skip lines 16(a) through 16(d) and enter the separately computed interest on line 16(e) in the appropriate column. **Attach your worksheet to Form 400-UT.**

For purposes of computing interest, the amount paid for a particular quarter must be applied first to the amount due for that quarter. If the total amount paid exceeds the amount due, the excess must be applied to offset an outstanding underpayment, if any, from a previous quarter, starting with the earliest underpayment. In addition, in the case of a late payment, the interest on line 16(e) must be computed on the amount due on line 7 less any tax withheld included on line 8.

Line 16(a)

Except for a late payment or where an underpayment is offset by a subsequent quarter's overpayment, enter April 15, 2006. If there is a late payment and the amount of the payment equals or exceeds the amount of estimated tax due, enter the date of payment. If an underpayment is fully offset by a subsequent quarter's overpayment, enter the payment due date for the quarter in which the overpayment occurred. In other cases, more than one date may apply and it may be necessary to compute the interest on a separate worksheet, in which case you should skip lines 16(a) through 16(d) and enter the separately computed interest on line 16(e) in the appropriate column. **Attach your worksheet to Form 400-UT.**

Line 17

If there is an **overpayment** on Form ND-1, line 31, or Form ND-2, line 16, the amount to be refunded will be reduced by the amount of interest due on Form 400-UT. If there is a **balance due** on Form ND-1, line 39, or Form ND-2, line 24, include the amount of interest due on Form 400-UT in your check or money order. If there is no overpayment or balance due on your individual income tax return and if the amount of interest due on Form 400-UT is at least $5.00, enclose a check or money order for the amount of interest due on Form 400-UT with your return.